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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/150,549 09/09/98 JOHNSON

W DA9-92-108B

EXAMINER

TM02/0410

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ART UNIT	PAPER NUMBER

2173
DATE MAILED:

04/10/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

RE

Office Action Summary

Application No.
09/150,549

Applicant(s)

Johnson et al

Examiner

Huynh-Ba

Group Art Unit
2173

☒ Responsive to communication(s) filed on Feb 12, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1, 3-7, and 9-12 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 3-7, and 9-12 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

BA HUYNH
PRIMARY EXAMINER

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2173

DETAILED ACTION

1. The amendments filed on 3/19/01 have been entered into the record. Claims 1,3-7, 9-12 are pending in the application.

Claim Rejections - 35 USC § 112

2. Claims 1,3-7,9-12 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The added limitations “executing said predefined process... solely in response to a graphic selection...” and “until said association is disabled by a second user input” are not described in the specification at the time the application was filed. As can be seen on page 10, lines 11-14 of the applicants’ specification, the predefined process is executed in response to (1) dragging the altered-cursor to overlay a suitable object, and (2) clicking on the mouse to execute the process, not “solely” a graphic selection, i.e., solely overlaying the cursor over the suitable object, as amended and argued by the applicant. Further, since the execution step alone requires at least two user inputs, then the amended “said association is disabled by a second user input” also not described in the applicants’ specification.

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-7, 9-12 are rejected under 35 U.S.C. 103(a) as being obvious over US patent #5,416,901 (Torres).

- As for claims 1, 7: Torres teaches a method/system for execution of a predefined process within a data processing system having a plurality of objects (figures 2A) and a movable cursor 60 displayed therein, comprising steps/means for specifying a predefined process by recording user input (col. 2, lines 30-53; col. 5, lines 63-66; col. 4, lines 11-22) within the data processing system, associating the process with the cursor 60 (col. 8, lines 3-12), executing the process on objects 38, 40 in response to a graphic selection of objects 38, 40, 62 using the cursor (col. 8, lines 36-60; see explanation of figures 2s). Torres fails to clearly teach the association is disabled in response to another user input. However, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the disabling the association in response to a user input to Torres. Motivation of the implementation is for disabling the copy mode and go on with other tasks.

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- As for claims 3, 9: The system determines whether the process may or may not be executed on the particular object 62 selected by the cursor (col. 8, lines 12-35).

- As for claims 4, 10: An error message is generated if it is determined that the process may not be executed on the particular object 62 (col. 8, lines 14-16)

- As for claims 5, 11: The user defined process may be applied to one or more objects within the data processing system (col. 7, lines 43-54; col. 8, line 1 - col. 9, line 9).

- As for claims 6, 12: The defined process is dragged to icon 62 (col. 8, lines 8-12).

Response to Arguments

5. Applicant's arguments with respect to claims 1, 3-7, 9-12 have been considered but are not deemed persuasive.

REMARKS:

Torres teaches the generating of a pre-defined process, represented by a selection icon 56, which is a general purpose data template (col. 5, lines 21-23). The general purpose selection icon is applicable to any icon of the same type (col. 8, lines 20-35) and one or more target data fields (col. 9, lines 23-36). In response to the argument that Torres does not teach the claimed limitation "executing said pre-defined process on any suitable object... *solely in response to a graphic selection* of a suitable object...", Torres teaches the executing the pre-defined process (represented by selection icon 56) on any suitable object solely in response to user a graphic selection, i.e., clicking on a mouse button while the cursor is overlaying the suitable object (col. 5,

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lines 49-54), in the similar manner as described on page 10, lines 5-14 of the applicants' specification.

Inquires

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huynh-Ba whose telephone number is (703) 305-9794. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cabeca, John can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Huynh-Ba
Primary Examiner
Art Unit 2173
4/9/01


BA HUYNH
PRIMARY EXAMINER